



**Office of the Attorney General
Paul G. Summers**

**Department of Commerce and Insurance
Commissioner Paula Flowers**

NEWS RELEASE

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FOR IMMEDIATE RELEASE

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**ATTORNEY GENERAL ENTERS AGREEMENT WITH ALTERNATIVE HEALTH
PRODUCTS MARKETER**

Tennessee has joined 17 other Attorney General's offices in an agreement with the maker and marketers of a progesterone cream product not approved by the US Food and Drug Administration, but allegedly marketed as an alternative hormone replacement therapy.

Consumers may also be entitled to a refund if they bought the products marketed by Gateway Distributors, Ltd. and The Right Solution Gateway, 3220 Pepper Lane, Las Vegas NV 89120, and their owner, Richard Bailey, using the name "The Right Solution" to market alternative health products to consumers through the Internet and the mail.

The Attorneys General alleged The Right Solution mailed an advertisement labeled as a "Medical Recall Notice" to Tennessee residents and residents of other states. The "Medical Recall Notice" falsely stated that prescription estrogen and progesterone products have been the subject of medical recalls, and that these products are hazardous to consumers' health, including that they could cause various cancers, including of the breast and cervix. The notice advised consumers to instead use The Right Solution's natural progesterone product called "YMotion Yam Cream." In truth, no prescription drug estrogen or progesterone products have been the subject of a medical recall. Additionally, the Attorneys General alleged that The Right Solution made false and

misleading claims that their product was clinically proven to be safe and effective when, in fact, the product had not been clinically tested or proven to be effective and has not been approved by the U.S. Food and Drug Administration.

As part of the agreement, the companies and their owner agreed to stop selling their YMotion progesterone cream product or any other drug products unless they are first approved by the FDA. The companies and their owner also agreed not to make any health claims in their advertisements unless they possessed clinical research proving their claims to be true. The Right Solution also agreed to return all of the payments it received from consumers who file complaints about the YMotion Yam Cream products they purchased within 180 days of the entry date of this settlement. The Right Solution also agreed to pay a \$100,000 penalty to the Attorneys General. Tennessee will receive approximately \$5,000 to pay for costs associated with the investigation.

“The Consumer Protection Law is designed so companies must provide honest information to the consumer so they can make informed decisions about whether they wish to make a purchase,” Attorney General Paul G. Summers said. “It is illegal to market or sell a product for a medical purpose that has not been approved by the FDA.”

The other states that participated in the settlement are Arizona, California, District of Columbia, Illinois, Kentucky, Maryland, Michigan, Missouri, Montana, Nevada, North Carolina, Ohio, Oregon, Pennsylvania, Vermont, Washington and Wisconsin. Consumers who wish to file claims for restitution may either write to the Attorney General’s Consumer Protection Division, Attn: The Right Solution Claims, 200 St. Paul Place, 16th Floor, Baltimore, Maryland 21202 or they may file a claim via the Internet on the Attorney General’s website, www.oag.state.md.us. All complaints must be received no later than 180 days from the clerk’s entry of Agreed Order, approved by the Court.